

STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE: Carraways Treasures & Collectibles,
Complainant

v.

Verizon South, Inc. and Farmers
Telephone Cooperative, Inc.
DefendantsBEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COPY

Filed: led

COVER SHEET

Dept: S.A.Date: 1/9/09

DOCKET

NUMBER: 2008 - 347 - CTime: 1:40

(Please type or print)

Submitted by: William E. DuRant, Jr.SC Bar Number: 1808Address: 10 Law Range
Sumter, SC 29150Telephone: 803-774-1000Fax: 803-774-1005

Other: _____

Email: gdurant@legaloff.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☐ Other: _____

INDUSTRY (Check one)

NATURE OF ACTION (Check all that apply)

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Electric/Gas | <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer | <input checked="" type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water | <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Electric/Water/Telecom. | <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Electric/Water/Sewer | <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input checked="" type="checkbox"/> Telecommunications | <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Water | <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Water/Sewer | <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Administrative Matter | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| | <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

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JAN 09 2009

PSC SC
DOCKETING DEPT.

SCHWARTZ, McLEOD, DuRANT & JORDAN
ATTORNEYS AT LAW
10 LAW RANGE
SUMTER, SOUTH CAROLINA 29150

R. KIRK McLEOD (1921-1987)
RAMON SCHWARTZ, JR.
WILLIAM E. DuRANT, JR.
MICHAEL M. JORDAN
T. D. WILLIAMS, IV

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COVER SHEET FOR TELEFAX TRANSMITTAL

DATE: January 9, 2009

TELEFAX NUMBER: (803) 896-5199
(803) 799-7555
(803) 737-0895

TO: S.C. Public Service Commission – ATTN: TRICIA – Docketing Department
Steve W. Hamm, Esquire
Jeffrey M. Nelson, Esquire

FROM: Gene DuRant

RECEIVED

OUR FAX NUMBER: (803) 774-1005

JAN 09 2009

PSC SC
DOCKETING DEPT.

6 PAGE(S) BEING TRANSMITTED (INCLUDING THIS SHEET)

REMARKS:

**THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS
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SCHWARTZ, McLEOD, DuRANT & JORDAN
ATTORNEYS AT LAW
10 LAW RANGE
SUMTER, SOUTH CAROLINA 29150

R. KIRK McLEOD (1921-1987)
RAMON SCHWARTZ, JR.
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T. D. WILLIAMS, IV

January 9, 2009

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Charles L. A. Terreni
Chief Clerk & Administrator
Public Service Commission of South Carolina
P.O. Drawer 11649
Columbia, SC 29211

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JAN 09 2009
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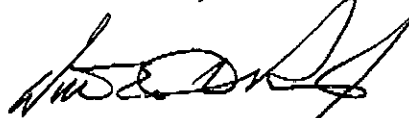
RE: Carraways Treasures & Collectibles v. Verizon South, Inc., et al
Docket No. 2008-347-C

Dear Mr. Terreni:

Enclosed for filing on behalf of Farmers Telephone Cooperative, Inc. is a Motion to Dismiss in the above referenced matter. By copy of this letter and certificate of service, all parties of record are being served by U.S. Mail or facsimile with a copy of this Motion. Thank you for your assistance.

Very truly yours,

SCHWARTZ, McLEOD, DuRANT & JORDAN



William E. DuRant, Jr.

WEDjr/pt

Enclosures

CC: Mr. Richard Carraway
Jeffrey M. Nelson, Esquire
Steve W. Hamm, Esquire

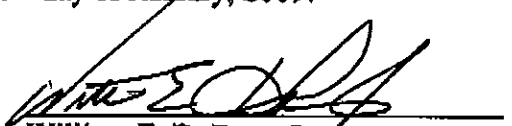
BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-347-C

IN RE:	Carraways Treasures & Collectibles,)	
	Complainant)	
)	
	v.)	MOTION TO DISMISS OF
)	FARMERS TELEPHONE
	Verizon South, Inc. and Farmers)	COOPERATIVE, INC.
	Telephone Cooperative, Inc.,)	
	Defendants)	

For the reasons set forth below, the Defendant, Farmers Telephone Cooperative, Inc. (FTC), respectfully moves before the South Carolina Public Service Commission to dismiss the Complaint/Request of Richard Carraway, d/b/a Carraways Treasures & Collectibles (Carraway) on the grounds that Carraway, upon filing his Request/Complaint was directed by this Commission to prefile twenty-five copies of the Direct Testimony and Exhibits of the witnesses Carraway intended to present and serve the Testimony and Exhibits of the witnesses on all parties of record on or before December 2, 2008. Additionally, Carraway, should Rebuttal Testimony be offered, was directed to prefile such Rebuttal Testimony and Exhibits of witnesses on or before December 23, 2008. Carraway has not filed Direct Testimony or Rebuttal Testimony, notwithstanding the prefilings of Testimony on behalf of FTC and Verizon South, Inc. By reason thereof, the Request/Complaint should be dismissed in that Carraway has failed to prefile Testimony and Exhibits as aforementioned and thereby deprived FTC and other parties of record of the opportunity to properly prepare for the presentation of their cases at the hearing scheduled for January 13, 2009 at 2:30 p.m.

For the foregoing reasons, FTC respectfully requests that Carraway's Request/Complaint be dismissed.

Respectfully submitted this 9th day of January, 2009.



William E. DuRant, Jr.
Schwartz, McLeod, DuRant & Jordan
10 Law Range
Sumter, SC 29150
(803) 774-1000

January 9, 2009

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-347-C

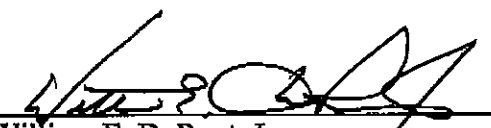
IN RE:	Carraways Treasures & Collectibles, Complainant)))	
	v.)))	CERTIFICATE OF SERVICE
	Verizon South, Inc. and Farmers Telephone Cooperative, Inc., Defendants)))	

This is to certify that I, William E. DuRant, Jr. have this date served one (1) copy of the attached Motion to Dismiss of Farmers Telephone Cooperative, Inc. in the above referenced matter to the persons named below by causing said copies to be deposited with the United States Postal Service, sufficient first class postage prepaid and affixed thereto and return address clearly marked, and addressed as shown below and by facsimile where indicated.

VIA U.S. MAIL
Richard Carraway
Carraways Treasures & Collectibles
2495 West Hwy 378
Pamplico, SC 29583

VIA U.S. MAIL AND
FACSIMILE – (803) 737-0895
Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201

VIA U.S. MAIL AND
FACSIMILE – (803) 799-7555
Steve W. Hamm, Esquire
Richardson, Plowden, Carpenter & Robinson, PA
P.O. Box 7788
Columbia, SC 29202



William E. DuRant, Jr.
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January 9, 2009